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2 District of Nevada
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6
7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

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10 UNITED STATES OF AMERICA,) 10-cr-00203-GMN-GWF
11 Plaintiff,)
12 v.) MOTION TO CONTINUE DATE
13 CHOON BOK LEE,) TO FILE RESPONSE
14 Defendant.)
_____)

15 COMES NOW the United States of America by and through its attorneys, Daniel G.
16 Bogden, United States Attorney, District of Nevada and Andrew w. Duncan, Assistant United
17 States Attorney, and respectfully requests that the deadline for filing a response to defendants'
18 Motion to Withdraw Plea (Doc. 61), currently due on November 14, 2011, be extended so that the
19 Government will have up to November 28, 2011, within which to file said response. This
20 extension is requested for the following reasons:

21 1. Counsel for the government has ordered the transcript of Defendant Lee's Change
22 of Plea hearing. The transcript will not be delivered until on or about November 21, 2011. The
23 transcripts are needed to assist the government in responding to Defendant's Motion to Withdraw
24 Plea.

25 2. A Motion Hearing has been set for this matter on December 8, 2011 and a
26 continuance of government's response will not cause a continuance of that Hearing.
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1 3. Counsel for Defendant has no position on this Motion, due to the pending Motion
2 to Dismiss Counsel (Doc.60).

3 The additional time requested herein is not sought for purposes of delay but merely to
4 allow
5 counsel for the Government sufficient time within which to be able to effectively and thoroughly
6 research, prepare and respond to the motion at issue, taking into account the exercise of due
7 diligence.

8 Additionally, denial of this request for continuance could result in a miscarriage of justice.

9 This is the first request for continuance of the response date for the motion at issue.

10 Dated November 14, 2011.

11 DANIEL G. BOGDEN
12 United States Attorney

13 /s/
14 ANDREW W. DUNCAN
15 Assistant United States Attorney

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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

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5 UNITED STATES OF AMERICA,) 10-cr-00203-GMN-GWF
6 Plaintiff,)
7 v.) ORDER TO CONTINUE
8 CHOON BOK LEE,) GOVERNMENT'S RESPONSE
9 Defendant.) TO DEFENDANT'S MOTION
) TO WITHDRAW PLEA
)

10 Based on the pending Motion of counsel and good cause appearing therefore, the Court
11 hereby finds that:

12 1. Counsel for the government has ordered the transcript of Defendant Lee's Change of
13 Plea hearing. The transcript will not be delivered until on or about November 21, 2011. The
14 transcripts are needed to assist the government in responding to Defendant's Motion to Withdraw Plea.

15 2. A Motion Hearing has been set for this matter on December 8, 2011 and a
16 continuance of government's response will not cause a continuance of that Hearing.

17 3. Counsel for Defendant has no position on this Motion, due to the pending Motion to
18 Dismiss Counsel (Doc.60).


19 The additional time requested herein is not sought for purposes of delay but merely to allow
20 counsel for the Government sufficient time within which to be able to effectively and thoroughly
21 research, prepare and respond to the motion at issue, taking into account the exercise of due diligence.

22 Additionally, denial of this request for continuance could result in a miscarriage of justice.

23 This is the first request for continuance of the response date for the motion at issue.
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DATED this 14th day of November, 2011.


Gloria M. Navarro
United States District Judge